

Interview Summary	Application No. 10/006,909	Applicant(s) KEASLING ET AL.	
	Examiner Christian L. Fronda	Art Unit 1652	

All participants (applicant, applicant's representative, PTO personnel):

(1) Christian L. Fronda *CLF*

(3) Deborah Reynolds *DR*

(2) Ponnathapura Achutamurthy *PA*

(4) Paula Borden *PAB*

Date of Interview: 19 September 2005.

(5) Neil Renninger *NR*

(6) Jack Newman *JN*

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☒ applicant

2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: reaction pathway for mevalonate and non-mevalonate pathway

Claim(s) discussed: 1-21 and 23.

Identification of prior art discussed: Takgi et al. (of record)

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: SEE BELOW.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Applicants provided arguments to traverse the written description rejection. Applicant's position is that the claims are directed to a method using host cells having additional nucleic acids encoding enzymes for producing product. Applicants argue that no new nucleic acids and enzymes are being claimed. Applicants cite case law Capon v. Eschhar to support their position.

Applicant's ~~also~~ argue that the Takgi reference of record does not teach "condensing two molecules of acetyl-CoA to acetoacetyl-CoA." Thus, the reference cannot be used in the rejection. The Examiner will ~~consider~~ consider applicant's arguments and positions.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Christian L. Fronda

Examiner's signature, if required